



Roger J. Sanders, Esq.  
Benjamin Ruesch, Esq.  
Nathan Reeve, Esq.

SANDERS RUESCH &amp; REEVE PLLC

Incoming  
S/021/0009

cc: Lynn  
Paul

55 S 300 W, Suite 1  
Hurricane, UT 84737  
435.635.7737  
FAX 435.635.7100  
www.SRRlegal.com

July 25<sup>th</sup>, 2013

State of Utah, Department of Natural Resources  
Division of Oil, Gas and Mining  
Attn: Paul B. Baker  
1594 West North Temple, Ste 1210  
PO Box 145801  
Salt Lake City, UT 84114  
(801)359-3940 (fax)

RECEIVED

JUL 26 2013

DIV. OF OIL, GAS &amp; MINING

SENT VIA FAX AND USPS FIRST CLASS

*RE: Division directive to reclaim, JG Resources LLC, Aetna mine, S/021/0009 Iron  
County, Utah*

Dear Mr. Baker,

I am sending you this letter to inform you of this firm's representation of Mr. Glazier and JG Resources LLC. Just this week, Mr. Glazier informed me of your letter dated May 28, 2013, which I have had the chance to review (enclosed for your reference). I believe that the Division's directive to reclaim is premature based on my discussion with Mr. Glazier; however, I have not had enough time to research the matter in greater detail, and would like the opportunity to do so.

As such, I request that your office not take any further action for another 30-45 days, while we attempt to either settle the matter or file an appeal to the Board. Accordingly, I request that the division not take any action until I have had additional time to review this particular matter and advise my client accordingly. This request for more time is made pursuant to R647-5-111.<sup>1</sup> "Good cause" exists for allowing additional time includes the recent retention of this firm as legal counsel regarding this matter and also includes the possibility of avoiding any extra expense associated with reclaiming this particular Mining property, or working out other details through the process.

If you have any questions regarding this matter please direct them to my office. I'm available for a phone call in the next couple days if necessary. Thank you for your time and attention to this matter and I look forward to working with you to resolve the outstanding issues.

Sincerely,

Ben Ruesch, Esq.

<sup>1</sup> "Nothing in these rules may be interpreted to restrict the Division Director, for good cause shown, from lengthening or shortening any time period prescribed herein."





GARY R. HERBERT  
Governor

GREGORY S. ELLI  
Lieutenant Governor

## State of Utah

### DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

#### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

May 28, 2013

Certified Return Receipt  
7011 0110 0001 3568 1120

Jerry Glazier  
JG Resources, LLC  
155 West 100 South  
Hurricane, Utah 84737

Subject: Division Directive to Reclaim, JG Resources, LLC, Etna Mine, S/021/0009, Iron County, Utah

Dear Mr. Glazier:

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The Division of Oil, Gas and Mining requires that the Etna mine be reclaimed. Regrading and seeding must be completed by July 29, 2013. This requirement is based on rule R647-3-113.5 which states in part:

"...The Division will require complete reclamation of the mine site when the suspension period exceeds 10 years, unless the operator appeals to the Board prior to the expiration of the 10-year period..."

Available records indicate the Etna mine has been inactive since 2002 or earlier. In addition, the reclamation surety in the amount of \$21,900 is inadequate for the permitted five acres of disturbance. The surety amount was due for evaluation and adjustment in 2011.

Failure to complete reclamation as required may result in formal enforcement action being taken, including the levying of civil penalties and fines.

If you have questions or concerns about this letter, please contact me at 801-538-5261 or Lynn Kunzler at 801-538-5310. Thank you for your cooperation.

Sincerely,

Paul B. Baker  
Minerals Program Manager

PBB: Llc eb

cc: WTL Stokes, SILLA (wstokes@utah.gov)  
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